

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13273 of 2018

Arising Out of PS.Case No. -134 Year- 2017 Thana -KASIMBAZAR District- MUNGER

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1. Suraj Yadav S/o Babulal Yadav, R/o Village- Subhash Nagar, Gumti No. 3, P.S. - Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 07-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kasim Bazar P.S. Case No.134 of 2017 registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

223.3 liters of country made and foreign liquor is said to have been recovered from the pick-up van and house of one co-accused, namely, Binay Kumar Singh and Vijay Thakur and they were apprehended. The said Binay Kumar Singh divulged the name of the petitioner as one of the accomplice in the occurrence.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the



conscious physical possession of the petitioner. He was not apprehended on the spot. He has been falsely implicated in this case. He has no concern with the seized liquor or the place of occurrence. Though one case under Excise Act has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 18.01.2018. The said Binay Kumar Singh has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.48963 of 2017 vide order dated 13.10.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Munger in connection with Kasim Bazar P.S. Case No. 134 of 2017.

(Prakash Chandra Jaiswal, J)

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